

House File 256 - Introduced

HOUSE FILE _____
BY MASCHER

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act restricting participation by legislative leaders in
2 electioneering communications and making penalties applicable.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 1717YH 82
5 jr/je/5

PAG LIN

1 1 Section 1. NEW SECTION. 68A.105 ELECTIONEERING
1 2 COMMUNICATIONS BY MEMBERS OF THE GENERAL ASSEMBLY.
1 3 1. As used in this section:
1 4 a. "Electioneering communication" means any communication
1 5 that refers to a clearly identified candidate for statewide
1 6 office or the general assembly and that has the effect of
1 7 encouraging or discouraging a vote for the candidate,
1 8 regardless of whether the communication expressly advocates a
1 9 vote for or against the candidate.
1 10 b. "Leadership position" means the office of president of
1 11 the senate, speaker of the house of representatives, majority
1 12 leader, assistant majority leader, minority leader, or
1 13 assistant minority leader.
1 14 2. A member of the general assembly who holds a leadership
1 15 position shall not direct, manage, organize, advise, or
1 16 consult with any organization that engages in electioneering
1 17 communications. This prohibition shall be effective sixty
1 18 days before a general or special election for the office
1 19 sought by the clearly identified candidate, or thirty days
1 20 before a primary election for the office sought by the clearly
1 21 identified candidate.
1 22 3. The penalty set out in section 68A.701 does not apply
1 23 to violations of this section.

EXPLANATION

1 24 This bill prohibits legislative leaders from actively
1 25 participating in an organization that engages in
1 26 electioneering communications. The prohibition applies during
1 27 a limited time frame: 60 days before a general or special
1 28 election for the office sought by a clearly identified
1 29 candidate, or 30 days before a primary election sought by a
1 30 clearly identified candidate. Electioneering communications
1 31 are communications which refer to a clearly identified
1 32 candidate for statewide office or the general assembly and
1 33 which have the effect of encouraging or discouraging a vote
1 34 for that candidate.

2 1 The criminal penalty normally associated with violations of
2 2 Code chapter 68A is made inapplicable to violations of the
2 3 bill. A variety of civil remedies for a violation of the bill
2 4 are available in Code section 68B.32D, ranging from a
2 5 reprimand to a civil penalty of not more than \$2,000.
2 6 LSB 1717YH 82
2 7 jr:rj/je/5